

Recommended Findings - Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. (*Finding Not Met*)

Staff does not believe that there are exceptional or extraordinary circumstances that deprive the property owner of rights or privileges. Although, the site is considered undersized in terms of lot size and lot width for the R-0 Zoning District, it is similar to other properties within the vicinity. The shed could be reduced and relocated to meet current setback requirements.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. (*Finding Met*)

Staff finds that the proposed workshop is not materially detrimental to the property or to the immediate neighborhood as it screened and designed appropriately to mitigate aesthetic concerns within the immediate area.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. (*Finding Not Met*)

Similar structures within the neighborhood are required to meet the setbacks and lot coverage requirements of the R-0 Zoning District. The applicant has noted other accessory buildings within the surrounding neighborhood. In certain cases, City requirements are met and the necessary permits have been obtained. As noted in the report, the Neighborhood Preservation Division assists with concerns related to code enforcement of accessory structures that do not appear to meet City ordinances. Each proposal is reviewed on a case by case basis to determine the appropriate permit process.